

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** Chair Roger Webb, on March 13, 2017 at 3:00 PM, in Room 405 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Roger Webb, Chair (R)  
Sen. Steve Fitzpatrick (R)  
Sen. Terry Gauthier (R)  
Sen. Brian Hoven (R)  
Sen. Margaret (Margie) MacDonald (D)  
Sen. Jon C. Sesso (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Mike Lang, Vice Chair (R)  
Sen. Edward Buttrey (R)

**Members Absent:** None

**Staff Present:** Leanne Kurtz, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 405, 3/7/2017; HB 416, 3/7/2017; HB 422, 3/7/2017

Executive Action: HB 200 - Be concurred in as amended  
HB 245 - Be concurred in as amended  
HB 316 - Be concurred in

00:00:03 Chair Webb

**HEARING ON HB 405**

**Opening Statement by Sponsor:**

00:00:39 Rep. Rob Cook (R), HD 18, opened the hearing on HB 405, Generally revise laws applicable to local government.

00:01:41 Sen. Sesso entered the meeting.

**Proponents' Testimony:**

00:02:03 Harold Blattie, Montana Association of Counties

[EXHIBIT\(los52a01\)](#)

[EXHIBIT\(los52a02\)](#)

00:06:34 Jeff Tiberi, Montana Association of Conservation Districts

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:07:06 Rep. Cook

00:07:23 Chair Webb

**HEARING ON HB 422**

**Opening Statement by Sponsor:**

00:07:31 Rep. Rob Cook (R), HD 18, opened the hearing on HB 422, Generally revising laws related to local governments.

**Proponents' Testimony:**

00:09:12 Steve Austin, Department of Revenue (DOR)

00:10:09 Harold Blattie, executive director, Montana Association of Counties

00:11:34 Tim Burton, executive director, Montana League of Cities and Towns

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:12:57 Sen. Sesso  
00:13:21 Rep. Cook  
00:13:33 Mr. Austin, DOR  
00:14:17 Sen. Sesso  
00:14:35 Mr. Austin  
00:14:59 Sen. Sesso  
00:15:18 Mr. Austin  
00:15:37 Sen. Sesso  
00:15:51 Rep. Cook

**Closing by Sponsor:**

00:16:06 Rep. Cook  
00:16:47 Chair Webb

**HEARING ON HB 416**

**Opening Statement by Sponsor:**

00:17:12 Rep. Edward Greef (R), HD 88, opened the hearing on HB 416, Revise local government subdivision review.

**Proponents' Testimony:**

00:18:42 Tara DePuy, Montana Association of Counties (MACo)  
[EXHIBIT\(los52a03\)](#)  
[EXHIBIT\(los52a04\)](#)

00:26:07 Harold Blattie, executive director, Montana Association of Counties  
00:26:55 Jim Anderson, Montana Association of Realtors

**Opponents' Testimony:**

00:29:07 Nadine Nadow, Montana Environmental Information Center  
[EXHIBIT\(los52a05\)](#)

00:29:40 Jeff Barber, Montana Small Growth Coalition (MSGC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:31:15 Sen. MacDonald  
00:31:28 Sen. Sesso  
00:33:43 Ms. DePuy, MACo  
00:36:15 Sen. Sesso  
00:37:19 Ms. DePuy

00:37:42 Sen. Sesso  
 00:39:24 Ms. DePuy  
 00:40:08 Sen. Sesso  
 00:40:40 Ms. DePuy  
 00:41:47 Sen. Sesso  
 00:42:20 Mr. Barber, MSGC  
 00:42:32 Sen. Sesso  
 00:42:46 Mr. Barber  
 00:42:57 Sen. Hoven  
 00:43:50 Mr. Barber

**Closing by Sponsor:**

00:45:03 Rep. Greef  
 00:47:10 Chair Webb

**EXECUTIVE ACTION ON HB 200**

00:47:33 **Motion:** Sen. MacDonald moved that **HB 200 BE REMOVED FROM TABLE.**  
 00:49:51 Recess  
 00:54:39 Reconvene  
 00:54:40 Sen. Sesso

**Discussion:**

00:55:00 Sen. MacDonald  
 00:56:33 Sen. Gauthier  
 00:56:54 Chair Webb  
 00:57:21 Sen. MacDonald  
 00:57:43 Leanne Kurtz, Legislative Services Division (LSD)  
 00:58:01 **Vote:** Motion carried 6-1 by roll call vote with Sen. R. Webb voting no. (Proxies not allowed)

00:59:11 **Motion:** Sen. Fitzpatrick moved that **HB 200 BE AMENDED.**  
[\*\*EXHIBIT\(los52a06\)\*\*](#)

**Discussion:**

00:59:25 Ms. Kurtz, LSD  
 01:00:03 Sen. MacDonald  
 01:00:39 Ms. Kurtz  
 01:01:00 **Vote:** Motion carried 8-1 by roll call vote with Sen. Lang voting no. Sen. Buttrey and Sen. Lang voted by proxy.

01:01:32 **Motion:** Sen. Fitzpatrick moved that **HB 200 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:01:44 Sen. Hoven  
01:02:44 Jim Anderson, Montana Association of Realtors  
01:03:32 Sen. MacDonald  
01:04:33 Sen. Hoven  
01:04:51 Sen. Sesso  
01:07:51 Sen. Vuckovich  
01:08:20 Sen. MacDonald  
01:09:15 Sen. Gauthier  
01:09:29 Sen. Sesso  
01:10:17 Chair Webb  
01:10:32 Sen. Sesso  
01:11:29 Chair Webb  
01:13:01 Sen. MacDonald  
01:13:51 Chair Webb  
01:14:04 Sen. Sesso  
01:16:25 Chair Webb  
01:16:38 Sen. Vuckovich  
  
01:18:42 **Vote:** Motion carried 6-3 by roll call vote with Sen. Fitzpatrick, Sen. Lang and Sen. R. Webb voting no. Sen. Buttrey and Sen. Lang voted by proxy. Sen. MacDonald will carry the bill.  
  
01:19:42 Chair Webb

**EXECUTIVE ACTION ON HB 316**

01:19:48 **Motion:** Sen. Fitzpatrick moved that **HB 316 BE CONCURRED IN.**

**Discussion:**

01:20:06 Sen. MacDonald  
  
01:20:25 **Vote:** Motion carried unanimously by voice vote. Sen. Buttrey and Sen. Lang voted by proxy. Sen. Gauthier will carry the bill.

**EXECUTIVE ACTION ON HB 245**

01:20:55 **Motion:** Sen. Fitzpatrick moved that **HB 245 BE CONCURRED IN.**

01:21:08 Ms. Kurtz

01:21:29 **Motion:** Sen. Fitzpatrick moved that **HB 245 BE AMENDED.**  
**EXHIBIT(los52a07)**

**Discussion:**

01:21:47 Sen. Sesso

01:22:31 **Vote:** Motion carried unanimously by voice vote. Sen. Buttrey and Sen. Lang voted by proxy.

01:23:01 **Motion:** Sen. Fitzpatrick moved that **HB 245 BE CONCURRED IN AS AMENDED.**

01:23:08 **Motion:** Sen. Fitzpatrick moved that **HB 245 BE AMENDED.**  
[EXHIBIT\(los52a08\)](#)

**Discussion:**

01:23:18 Ms. Kurtz

01:24:43 Sen. Sesso

01:29:29 **Vote:** Motion carried unanimously by roll call vote. Sen. Buttrey and Sen. Lang voted by proxy.

01:29:59 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 245 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Buttrey and Sen. Lang voted by proxy. Sen. Buttrey will carry the bill.

01:30:36 Chair Webb

**ADJOURNMENT**

Adjournment: 4:33 PM

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Tia Stockton, Secretary

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Additional Documents:

**EXHIBIT([los52aad.pdf](#))**